

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ANGELA D. ROE,

Plaintiff,

v.

ROOSEN, VARCHETTI & OLIVER,
PLLC and CREDIT ACCEPTANCE
CORPORATION,

Defendant.

No. 2:18-cv-13536-GCS-APP

Honorable Judge George Caram
Steeh

Honorable Magistrate Anthony
P. Patti

**PLAINTIFF’S MOTION TO STAY BRIEFING SCHEDULE
AND BRIEF IN SUPPORT**

NOW comes Angela D. Roe (“Plaintiff”) by and through her attorneys and pursuant to Fed. R. Civ. P. 6(b), hereby moves this Honorable Court to stay the briefing schedule on Roosen Varchetti & Oliver’s (“Roosen”) Motion for Summary Judgment and Alternative Motion to Dismiss for Lack of Subject Matter Jurisdiction (“Roosen’s Motion”), entered by the Court on April 2, 2019, pending resolution of Plaintiff’s Motion for Leave to File First Amended Complaint (“Plaintiff’s Motion”).

BRIEF IN SUPPORT

1. On November 13, 2018, Plaintiff filed her complaint against Roosen and Credit Acceptance Corporation (“Credit Acceptance”). [Dkt. 1].

2. On January 2, 2019, Roosen filed its answer to Plaintiff’s complaint. [Dkt. 10].

3. On January 9, 2019, Credit Acceptance filed its answer to Plaintiff’s complaint. [Dkt. 13].

4. On March 8, 2019, Plaintiff filed her Motion for Leave to Amend the complaint (“Plaintiff’s Motion”) with the proposed amended complaint attached. [Dkt. 15].

5. On March 12, 2019, the Court notified the parties that Plaintiff’s Motion would be determined without oral argument, setting Defendants’ time to file its response as March 22, 2019 and Plaintiff’s time to file her reply as April 5, 2019. [Dkt. 16].

6. On March 22, 2019, Roosen filed its response to Plaintiff’s Motion. [Dkt. 17].

7. Also on March 22, 2019, Roosen filed its Motion for Summary Judgment and Alternative Motion to Dismiss for Lack of Subject Matter Jurisdiction (“Roosen’s Motion”) in connection with Plaintiff’s complaint as originally filed. [Dkt. 18].

8. On April 2, 2019, the Court notified the parties that Roosen's Motion would be determined without oral argument, setting Plaintiff's time to file her response as April 22, 2019 and Roosen's time to file its reply as May 13, 2019. [Dkt. 20].

9. On April 5, 2019, Plaintiff filed her reply to Roosen's response to Plaintiff's Motion.

10. Since the briefing on Plaintiff's Motion has been completed, Plaintiff brings the instant motion pursuant to Fed. R. Civ. P. 6(b) seeking to stay the briefing schedule entered in connection with Roosen's Motion pending the Court's decision on Plaintiff's Motion.

11. Good cause exists to stay the briefing schedule entered in connection with Roosen's Motion. Since Roosen's Motion seeks judgment in its favor on Plaintiff's complaint as originally filed, Plaintiff's Motion seeking leave to amend, if granted, would render Roosen's Motion moot. Thus, the interest of judicial economy will be served by staying the briefing schedule on Roosen's Motion.

12. Pursuant to E.D. Mich. L.R. 7.1(a), Plaintiff's counsel conferred with Defendants' counsel regarding the relief sought in the instant motion. On April 9, 2019, Plaintiff's counsel emailed Defendants' counsel in an effort to obtain concurrence. Due to no response, Plaintiff's counsel followed up with Defendants' counsel on April 10, 2019. Roosen's counsel then responded, indicating that they oppose the relief sought in the instant motion. Plaintiff's counsel then inquired as

to the basis of Roosen's objection. As of the filing of this motion, Roosen's counsel has not identified the basis of its objection. Further, despite reasonable attempts to obtain concurrence, Plaintiff's counsel was unable to obtain Credit Acceptance's concurrence since Credit Acceptance's counsel has not responded to Plaintiff's counsel's correspondences.

WHEREFORE, Plaintiff respectfully request that the Court grant Plaintiff's Motion to Stay Briefing Schedule and stay the briefing on Roosen's Motion pending resolution of Plaintiff's Motion.

Dated: April 11, 2019

Respectfully submitted,

/s/ Nathan C. Volheim

Nathan C. Volheim, Esq. # 6302103

Sulaiman Law Group, Ltd.

2500 S. Highland Avenue, Suite 200

Lombard, Illinois 60148

Phone (630) 575-8181 x113

Fax: (630) 575-8188

nvolheim@sulaimanlaw.com

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2019, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Eastern District of Michigan by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Nathan C. Volheim

Nathan C. Volheim
Sulaiman Law Group, Ltd.
2500 S. Highland Avenue, Suite 200
Lombard, Illinois 60148
Phone (630) 575-8181 x113
Fax: (630) 575-8188
nvolheim@sulaimanlaw.com

Counsel for Plaintiff